

ASSEMBLY BILL

No. 950

Introduced by Assembly Member Coto

February 18, 2005

An act to amend Section 42239 of, and to add and repeal Article 5 (commencing with Section 37260) of Chapter 2 of Part 22 of the Education Code, relating to instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 950, as introduced, Coto. Instruction: Laboratory Summer Schools Program.

Existing law requires a school district, and authorizes a charter school, to offer supplemental instructional programs for pupils who do not demonstrate sufficient progress toward passing the high school graduation exit exam. Existing law authorizes these instructional programs to be offered during the summer, among other times.

This bill would establish the Laboratory Summer School Program, pursuant to which 100 applicant schools, chosen by the State Department of Education, commencing with the 2007-08 school year, provide core area content standards instruction to pupils and staff development to teachers. The bill would declare the program to be inoperative on and after July 1, 2010, and repealed as of January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Article 5 (commencing with Section 37260) is
- 2 added to Chapter 2 of Part 22 of the Education Code, to read:

Article 5. Laboratory Summer School Program

37260. (a) Commencing with the 2007-08 school year, a successful applicant school district may implement a three-year laboratory summer school program, that would offer no less than 20 additional days of instruction.

(b) The department shall approve applications for participation in the Laboratory Summer School Program, to be implemented in 100 schools, based on all of the following:

(1) School and school district readiness.

(2) Statewide grade level balance. The department shall ensure that one-third of pupils participating in a school program are in kindergarten and grades 1 to 5, inclusive, one-third of pupils participating in a school program are in grades 6 to 8, inclusive, and one-third of pupils participating in a school program are in grades 9 to 12, inclusive.

(3) Statewide demographic and geographic balance.

(c) (1) A participating pupil shall be selected according to interest and need. No less than one-third of the pupils attending a participating school shall participate.

(2) A participating pupil shall receive core area content standards instruction and shall be assessed on his or her mastery of those standards.

(3) A pupil shall receive academic credit for participating in a school program.

(d) (1) A participating teacher shall be selected according to interest and need. No less than one-third of the teachers employed by a participating school shall participate.

(2) A participating teacher shall receive staff development instruction for no less than 50 percent of each day. The staff development instruction shall focus on the instruction of core area content standards, and shall include development of delivery of instruction, coaching, feedback, practice, collaboration, evaluation, and documentation. A participating teacher shall be assessed on his or her mastery of instruction of those standards. Administrators shall participate in staff development.

(3) A participating teacher shall receive additional prorated compensation for his or her participation in a school program.

(e) A school district offering a laboratory summer school pilot project pursuant to this article shall receive funding as described in Section 42239 and in the annual Budget Act.

(f) This section shall become inoperative on July 1, 2010, and, as of January 1, 2011, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2011, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. Section 42239 of the Education Code, as added by Chapter 871 of the Statutes of 2004, is amended to read:

42239. (a) For the 2005–06 fiscal year, and each fiscal year thereafter, the Superintendent of Public Instruction shall compute funding for supplemental instruction for each school district or charter school by multiplying the number of pupil hours of supplemental instruction claimed pursuant to Sections 37252 and 37252.2, 37252.2, and 37260 by the pupil hour allowance specified in subdivision (b) or by a pupil hour allowance specified in the annual Budget Act in lieu of the amount computed in subdivision (b).

(b) Commencing with the 2000–01 fiscal year, hours of supplemental instruction shall be reimbursed at a rate of three dollars and twenty-five cents (\$3.25) per pupil hour, adjusted in future years as specified in this section, provided that a different reimbursement rate may be specified for each fiscal year in the annual Budget Act that appropriates funding for that fiscal year. This amount shall be increased annually by the percentage increase pursuant to subdivision (b) of Section 42238.1 granted to school districts or charter schools for base revenue limit cost-of-living increases.

(c) (1) If appropriated funding is insufficient to pay all claims made in any fiscal year pursuant to Sections 37252 and 37252.2, 37252.2, and 37260, the superintendent shall use any available funding appropriated for the purposes of reimbursing school districts pursuant to Sections 37252 and 37252.2, 37252.2, and 37260.

(2) If appropriated funding is still insufficient to pay all claims made in any fiscal year pursuant to Sections 37252 and 37252.2, 37252.2, and 37260, the superintendent shall use any available funding appropriated for the purposes of reimbursing school districts for supplemental instruction in the prior fiscal year.

1 (3) If appropriated funding is still insufficient to pay all claims
2 made in any fiscal year pursuant to Sections 37252~~and 37252.2~~,
3 37252.2, and 37260, the superintendent shall use any available
4 funding appropriated for the purposes of reimbursing school
5 districts for supplemental instruction in the current fiscal year.

6 (4) If appropriated funding is still insufficient to pay all claims
7 made in any fiscal year pursuant to Sections 37252~~and 37252.2~~,
8 37252.2, and 37260, the superintendent shall certify to the
9 Controller the amount of funds needed to fully fund claims
10 pursuant to Sections 37252 ~~and 37252.2~~, 37252.2, and 37260.
11 Upon receipt of certification from the superintendent, the
12 Controller shall transfer the amount from any funds available for
13 that fiscal year for the Pupil Retention Block Grant program
14 provided pursuant to Article 1 (commencing with Section 41505)
15 of Chapter 3.2 of Part 24. If insufficient funds are available from
16 the appropriation for the Pupil Retention Block Grant program
17 for the fiscal year, the Controller shall transfer any remaining
18 funds needed from any amount appropriated for the Pupil
19 Retention Block Grant program for the following fiscal year.

20 (5) The superintendent shall notify the Director of Finance that
21 there is an insufficiency of funding appropriated for the purposes
22 of Sections 37252 ~~and 37252.2~~, 37252.2, and 37260 only after
23 the superintendent has exhausted all available balances of
24 appropriations made for the current or prior fiscal years for the
25 reimbursement of school districts for supplemental instruction
26 and shall report the amount certified to be transferred from the
27 Pupil Retention Block Grant to eliminate that insufficiency.

28 (d) Notwithstanding any other provision of law, neither the
29 State Board of Education nor the Superintendent of ~~Public~~
30 ~~Instruction~~ may waive any provision of this section.

31 (e) This section shall become operative on July 1, 2005.